

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

BRYAN ANTHONY REO, <i>et al.</i> ,	)	Case No.: 1:19 CV 2103
	)	
Plaintiffs	)	JUDGE SOLOMON OLIVER, JR.
	)	
v.	)	
	)	
MARTIN LINDSTEDT, <i>Pro Se</i> ,	)	
	)	
Defendant	)	FINAL PRETRIAL
	)	<u>CONFERENCE ORDER</u>

The court held a final pretrial conference on the record with the parties on September 12, 2024, at 10:30 a.m. *Pro se* Plaintiff and Plaintiffs' counsel Bryan Anthony Reo, appeared in-person as directed by the court's August 13, 2024 Trial Order (ECF No. 167), *Pro se* Defendant Martin Lindstedt appeared via telephone in violation of the court's Trial Order and the court's September 10, 2024 Order, denying Defendant's Motion to hold the final pretrial conference by telephone (ECF No. 171.) During the conference, the court adopted the Magistrate Judge's Report and Recommendation (ECF No. 160), thereby denying Plaintiffs' request for default judgment and adopting the Magistrate's recommendation to consider imposing lesser sanctions under Federal Rule of Civil Procedure 37.

The parties also discussed how long each expects the trial to last and the number of witnesses

to be called. Plaintiffs' counsel represented to the court that Plaintiffs want to sever the cases to try them separately. Plaintiffs have 14 days from the date of this Order to file a Motion to Sever. Defendant then has 10 days to respond to the Motion. Plaintiffs need not file a Reply.

Given the complex nature of the case, the court modified the following time frames from those listed in the court's August 13, 2024 Trial Order (ECF No. 167):

**A. Trial Days**

No modifications from the August 13, 2024 Order.

**B. Stipulations of Fact and Preliminary Statements**

Written stipulations as to all uncontested facts to be presented at trial to the jury or to the court shall now be filed with the court no later than seven (7) days prior to trial.

Counsel shall also prepare and submit a Joint Preliminary Statement, not to exceed 1 page, describing the case in an impartial, easily understood and concise manner for use by the court either during *voir dire* or at the time the jury is impaneled. If the parties cannot agree on a Joint Preliminary Statement, then each shall submit its own Preliminary Statement describing the case in an impartial, easily understood and concise manner. Preliminary Statements shall now be filed with the court no later than seven (7) days prior to the trial.

**C. Trial Briefs**

The court requires the preparation of trial briefs in each case. These must now be filed with the court and served on every other counsel in the case no later than ten (10) days before trial.

**D. Motions *In Limine***

No modifications from the August 13, 2024 Order.

**E. Witness and Exhibit Lists**

1. Exchange of Witness and Exhibit Lists and Exhibits

The parties shall still file with the court and exchange their proposed witness and exhibit lists seven (7) days prior to trial. An exchange of proposed exhibits must now be made at least seven (7) days prior to trial.

2. Marking Exhibits

No modifications from the August 13, 2024 Order.

3. Witnesses Expected to be Called on Following Trial Day

No modifications from the August 13, 2024 Order.

**F. Objections to Witness or Exhibits**

No modifications from the August 13, 2024 Order.

**G. Deposition Testimony**

No modifications from the August 13, 2024 Order.

**H. *Voir Dire***

The court and the parties agreed that Magistrate Judge Sheperd, the Magistrate assigned to this case, may conduct the jury *voir dire* and seat a jury in this case on Friday, November 1, 2024. Proposed *voir dire* questions for the court's questioning are to be filed with the court no later than seven (7) days prior to Friday, November 1, 2024.

**I. Jury Instructions and Interrogatories**

No modifications from the August 13, 2024 Order.

**J. Non-Jury Cases**

No modifications from the August 13, 2024 Order.

**K. Continuances**

No modifications from the August 13, 2024 Order.

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.  
UNITED STATES DISTRICT JUDGE

September 16, 2024